

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Erich Kratzmaier)
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Filing Date:	December <u>11</u> , 2003)
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Priority Date:	December 16, 2002)
)
Docket No.:	SZY10082P0010US)
)
Invention Title:	MOTOR-DRIVEN CUTTING)
	DEVICE)

TRANSMITTAL OF INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement by Applicant is transmitted herewith, which lists four references cited in an European Search Report in connection with European Patent Application No. 02 028 241.4, the priority of which is claimed.

A copy of the European Search Report (3 pages), copies of those four references, three United States patents and one German patent), and a partial translation of those portions of the German patent that were referenced in the European Search Report are transmitted herewith.

The following remarks are offered in connection with those references and in connection with the claims being filed.

DE 719 969 shows a motorized device for opening rigid bandages by means of a sickle-shaped guiding finger and driven scissor elements. The scissor elements are held by means of sliding pieces g in a middle portion (p. 2, line 97) and are driven by means of an eccentric x cooperating with an end being opposite to the cutting edges (p. 2, lines 88-93, compare Figs. 1 and 2).

US 4,682,416 shows a motorized cutting device for thin metals (col. 1, line 6) and a common hand drilling machine for driving (col. 3, line 38 ff). There is a static cutting tool 9 and a movable cutting tool 10 being rotatable around a pivot axis I I proximate to the cutting edges (col. 3, lines 47-49). The movable cutting tool is driven by means of a cam element 18 shifting cam follower elements 17 of the cutting tools (col. 3, lines 63-65). This is done at the upper end of the cutting tools opposite to the cutting edge.

US 3,025,599 also shows a driven scissor-like cutting tool for thin metal (col. 1, lines 8/9) with a hand drilling machine for driving (lines 16/17) and static cutting tools 12 and 14 (lines 38/39) as well as a movable cutting tool 16 (lines 41/42). The movable cutting tool is held by means of a pivot 24 proximate to the cutting edges and is driven at its upper end 24 (lines 45/46, 51/52).

US 5,956,992 describes a technically distant device for forcedly opening or cutting of metal pieces in order to free accident victims in deformed accident vehicles. This prior art is less important.

The so-called characterizing features of claim I state that the movable cutting tool is held in a rotatable and shiftable manner at an axis being distant from the cutting edge and is held by means of an eccentric more proximate to the cutting edge and is drivable thereby.

These features are not shown in any of the documents. The first three documents show cutting tools being held near the cutting edge and being driven by means of an eccentric or cam element at the opposite end. Thus, this prior art teaches the exact opposite of the invention.

The inventor of the present application has found that the solution according to the invention allows a relatively short overall construction length without an unacceptable shortening of the lever lengths. The lever lengths relative to the holding axis are, in contrast to the prior art, not at opposing sides. Further, the invention allows an optional combination with an optionally modular gear unit and therein an advantageous combination with the driven shaft of the gear unit. In the exemplary embodiment e.g. the driven shaft I I is proximate to the end of the gear unit being distant from the motor drive so that the subject-matter of claim I enables a compact and

Transmittal of Information

Disclosure Statement by Applicant

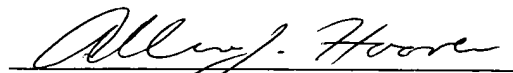
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advantageous overall construction.

Since the prior art does not show the features in the last para. of claim 1, but shows the exact opposite instead, and since the prior art shows three different constructions being consistent in this respect and no other example at all, it cannot be obvious to arrive at the subject-matter of claim 1.

The same applies for method claim 12 with the same arguments.

Respectfully submitted,

A handwritten signature in cursive script, reading "Allen J. Hoover", is written over a horizontal line.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	
				Filing Date	December 11, 2003
				First Named Inventor	Erich Kratzmaier
				Group Art Unit	
				Examiner Name	
Sheet	1	of	1	Attorney Docket No.	SZY10082P0010US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	US- 3,025,599 A	03-20-1962	Sauers, <i>et al.</i>	
	2	US- 4,682,416	07-28-1987	Stolfä	
	3	US- 5,956,992	09-28-1999	Patton	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	4	DE - 719,969 C	04-20-1942	Feinmechanik	P. 2, ll. 76-113, Figs. 1-3	X
Examiner Signature				Date Considered		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standards ST.16, if possible. ⁶ Applicant is to place a checkmark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) and application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.